

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

POSITIVE TECHNOLOGIES, INC.,

Plaintiff,

v.

BENQ AMERICA CORP., FUJITSU  
GENERAL AMERICA, INC., JVC  
AMERICAS CORP., MITSUBISHI  
DIGITAL ELECTRONICS AMERICA,  
INC., NEC DISPLAY SOLUTIONS OF  
AMERICA, INC., PANASONIC CORP. OF  
NORTH AMERICA, PHILIPS  
ELECTRONICS NORTH AMERICA  
CORP., PROVIEW TECHNOLOGY, INC.,  
REGENT U.S.A., INC., SAMSUNG  
ELECTRONICS AMERICA, INC., SHARP  
ELECTRONICS CORP., TOSHIBA  
AMERICA CONSUMER PRODUCTS,  
L.L.C., AND V, INC.,

Defendants,

And

LG.PHILIPS LCD CO., LTD.,

Intervenor.

CASE NO. 2:07-cv-67-TJW

Jury Trial Demanded

---

**STIPULATION OF DISMISSAL OF SHARP ELECTRONICS CORP.**

Positive Technologies, Inc. ("Positive") and Sharp Electronics Corp. ("Sharp"), through their respective undersigned counsel, hereby stipulate and agree that their respective actions against each other, including any and all Complaints, Amended Complaints, Answers, Amended Answers, Counterclaims and the like, be and hereby are dismissed in their entirety with prejudice, each side to bear its own costs and expenses, including attorney fees, incurred in connection with the actions. Positive's Complaint and action with regard to the remaining

defendants remains in effect unless and until specifically dismissed.

Dated: July 6, 2007

/s/ James P. Brogan

James P. Brogan  
**Attorney-in-charge**  
Chad T. Nitta  
Carolyn V. Juarez  
COOLEY GODWARD KRONISH LLP  
380 Interlocken Crescent, Suite 900  
Broomfield, CO 80021-8023  
Telephone: (720) 566-4000  
Facsimile: (720) 566-4099

/s/ Robert W. Adams

Robert W. Adams  
Updeep "Mickey" Gill  
NIXON & VANDERHYE, PC  
901 North Glebe Road  
11<sup>th</sup> Floor  
Arlington, VA 22203  
Telephone: 703.816.4009  
Facsimile: 703.816.4100

OF COUNSEL:

Collin M. Maloney  
Texas State Bar No. 00794219  
IRELAND, CARROLL & KELLEY, P.C.  
6101 South Broadway, Suite 500  
Tyler, TX 75703  
Telephone: (903) 561-1600  
Facsimile: (903) 581-1071

Melvin R. Wilcox III  
SMEAD ANDERSON & DUNN  
2110 Horseshoe Lane  
P.O. Box 3343  
Longview, TX 75606-3343  
Telephone: 903.323.1892  
Facsimile: 903.232.1889

Thomas J. Friel  
COOLEY GODWARD KRONISH LLP  
101 California Street, 5<sup>th</sup> Floor  
San Francisco, CA 94111-5800  
Telephone: (415) 693-2000  
Facsimile: (415) 693-2222

ATTORNEYS FOR SHARP ELECTRONICS  
CORP.

Kevin Zimmer  
COOLEY GODWARD KRONISH LLP  
4401 Eastgate Mall  
San Diego, CA 92121-1909  
Telephone: (858) 550-6000  
Facsimile: (858) 550-6420

Thomas F. Poché  
COOLEY GODWARD KRONISH LLP  
1200 19th Street NW, 5th Floor  
Washington, DC 20036  
Telephone: (202) 842-7800  
Facsimile: (202) 842-7899

ATTORNEYS FOR POSITIVE  
TECHNOLOGIES, INC.

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this **STIPULATION OF DISMISSAL OF SHARP ELECTRONICS CORP.** was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by facsimile on this 6<sup>th</sup> day of July, 2007.

/s/James P. Brogan